

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
(NASHVILLE)

In re:)	Case No. 19-bk-01971
)	Chapter 11
CAPSTONE PEDIATRICS, PLLC,)	Judge Randal S. Mashburn
)	
Debtor.)	
_____)	

EXPEDITED MOTION TO APPEAR TELEPHONICALLY AT APRIL 2 HEARING

The United States respectfully requests that its attorney, Ward W. Benson, be permitted to appear telephonically at the April 2, 2019 hearing on the debtor's "First Day Motions."

This matter requires expedited treatment because of the extremely limited time period in which the relief could be sought. This case was initiated by the filing of a Chapter 11 petition on March 28, 2019. (Dkt. No. 1). On March 29, 2019, the Court set the debtor's "First Day Motions" for a hearing on April 2, 2019—two business days later. (Dkt. No. 15). Accordingly, the United States had no opportunity to file a motion within the normal notice period required by the local rules.

Notice of this motion will be given through the CM/ECF, which will give notice to the debtor's counsel. Undersigned counsel also gave notice to counsel for CDS, the DIP lender, via email on March 29.

Undersigned counsel believes no hearing is necessary. Both debtor's counsel and counsel for CDS have already indicated by email that they consent to the relief granted.

The requested relief should be granted in the interest of conserving government resources. Undersigned counsel is based in Washington, D.C. Appearing in person would require the expenditure of substantial government resources, at a time when the Tax Division's

travel budget is extremely limited. Undersigned counsel has been heavily involved in the negotiation of the DIP financing agreement, and so the interests of the United States could not be equally served through the appearance of a local Assistant United States Attorney.

DATE: April 1, 2019

Respectfully submitted,

RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General

/s/ Ward W. Benson
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CERTIFICATE OF SERVICE

I certify that the foregoing EXPEDITED MOTION was filed with the clerk of the court on April 1, 2019, using the CM/ECF system, which will send notification of such filing to all parties appearing in said system.

/s/ Ward W. Benson
WARD W. BENSON